

California Department of Insurance

Fraud Division

May 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

May 2011 Workers' Compensation Fraud Convictions

CDI Case Number: 09EW005923

County: San Diego

Defendant: Christine Baker

City/County of Residence: San Diego/San Diego

Conviction Date: 05/26/11

Offense: 2 Counts of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

Amount Allegedly Defrauded: \$51,282.96

Sentence: 1 Day County Jail, 200 Hours Volunteer Work (to be completed by 07/11/2012), 3 Years Summary Probation, \$51,282.96 Restitution, \$200 Civil Fine, \$800 Criminal Fine

Case Number: M11912836

County: Fresno

Defendant: Sergio Cruz

City/County of Residence: Fresno/Fresno

Conviction Date: 05/11/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: Defendant enters into conditional settlement on agreed upon condition that defendant has no new arrests based on probable cause for 12 months. Conditional Settlement Hearing set for 05/07/2012

Case Number: 11CM06363

County: Orange

Defendant: Long Thanh Do

City/County of Residence: Not available at this time

Conviction Date: 05/27/11

Offense: 2 Counts of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$20,000 Criminal Fine (\$16,000 Suspended)

CDI Case Name: Sactown Cash Pay

CDI Case Number: 09AW019065

County: Sacramento

Defendant: Alma Delia Esparza

City/County of Residence: Sacramento/Sacramento

Conviction Date: 05/11/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Informal Probation, \$100 Civil Fine

Case Number: 2011012645 MA

County: Ventura

Defendant: Robert Ghyczy

City/County of Residence: Chatsworth/Los Angeles

Conviction Date: 05/06/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Condition Probation, \$1,000 Restitution, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Number: 08BW003157

County: San Francisco

Defendant: Emily Hegner

City/County of Residence: Daly City/San Mateo

Conviction Date: 05/31/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$49,860

Sentence: 1 Day County Jail, 720 Hours Community Service, 3 Years Probation, \$200 Civil Fine

Case Number: 10CM06479

County: Orange

Defendant: Mark Corey Mitchell

City/County of Residence: Not available at this time

Conviction Date: 05/12/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 40 Hours Community Service (Stayed until 11/14/2011), 3 Years Informal Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,000 Suspended)

Case Number: 11CM06363

County: Orange

Defendant: Mary Chin Nguyen

City/County of Residence: Not available at this time

Conviction Date: 05/27/11

Offense: 2 Counts of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$20,000 Criminal Fine (\$15,000 Suspended)

CDI Case Name: Sactown Cash Pay

CDI Case Number: 09AW019065

County: Sacramento

Defendant: Al Minh Pham

City/County of Residence: Sacramento/Sacramento

Conviction Date: 05/11/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$10,000 criminal Fine (\$7,220 Suspended Pending Successful Completion of Probation)

CDI Case Name: Sactown Cash Pay

CDI Case Number: 09AW019065

County: Sacramento

Defendant: Tam Minh Pham

City/County of Residence: Sacramento/Sacramento

Conviction Date: 05/11/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Informal Probation, \$100 Civil Fine

Case Number: M09926563

County: Fresno

Defendant: Ronald Joseph Rios

City/County of Residence: Fresno/Fresno

Conviction Date: 05/23/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 365 Days (275 Days Suspended) Stayed Until 07/22/2011, 36 Months Conditional Probation, \$2,500 Criminal Fine

CDI Case Number: 08DW005519

County: Orange

Defendant: George Sahyoun

City/County of Residence: Fullerton/Orange

Conviction Date: 05/25/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$30,000

Sentence: 31 Hours Community Service (Proof of Completion Already Provided to District Attorney), 2 Years Formal Probation, \$30,000 Restitution, \$200 Civil Fine

CDI Case Name: CM Builders

CDI Case Number: 09AW027219

County: Sacramento

Defendant: Eric Robert Schneider

City/County of Residence: Sacramento/Sacramento

Conviction Date: 05/10/11

Offense: 1 Count of IC 11880(a) (Premium Fraud)

Amount Allegedly Defrauded: \$50,394

Sentence: 90 Days County Jail, 5 Years Formal Probation, \$50,394 plus TBD Restitution, \$400 Civil Fine

CDI Case Number: 09BW023841

County: Marin

Defendant: David John Sheets

City/County of Residence: Novato/Marin

Conviction Date: 05/04/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor); 1 Count of PC 487(a) (Grand Theft) (Misdemeanor)

Amount Allegedly Defrauded: \$5,000

Sentence: 3 Years Supervised Probation (revert to Conditional Probation upon notification by Probation of the Collection of Restitution), \$12,757.28 Restitution, \$100 Civil Fine

Case Number: 2011011936 MA

County: Ventura

Defendant: Petra Solis

City/County of Residence: Alta Loma/San Bernardino

Conviction Date: 05/05/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Condition Probation, \$1,000 Restitution, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Number: 08EW021902

County: San Diego

Defendant: Mamie Stovall

City/County of Residence: El Cajon/San Diego

Conviction Date: 05/31/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$8,305

Sentence: 1 Day County Jail, 3 Years Summary Probation, \$7,600 Restitution, \$100 Civil Fine, \$204 Criminal Fine

CDI Case Name: Brentfield Construction

CDI Case Number: 10GW020829

County: San Mateo

Defendant: William Brent Warfield

City/County of Residence: Millbrae/San Mateo

Conviction Date: 05/25/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 2 Years Court Probation, \$110 Civil Fine, \$10,000 Criminal Fine (\$9,500 Stayed)

Case Number: 62-105055

County: Placer

Defendant: Robert Joseph Warner

City/County of Residence: Roseville/Placer

Conviction Date: 05/10/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: \$750 Criminal Fine (Now Paid)